

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Rosemary Heredia, Assistant Deputy Clerk.

F040865 Osuna v. Houston General Insurance Company
Cause called and argued by Jason L. Krestoff, Esq., counsel for appellant and by Andrew R. Adler, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Wednesday, October 8, 2003 at 10:00 A.M.

F042953 In re Lee B., a Minor
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F042953 In re Lee B., a Minor
The order terminating parental rights is affirmed.
By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043543 In re Revelation S., a Minor
No brief or request for extension of time having been filed, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F040951 People v. Torres
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F040951 People v. Torres

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040186 People v. Molina

The matter is remanded for resentencing under the provisions of Proposition 36. The condition of probation in the judgment is modified to provide that appellant is not to associate with persons he knows to be using, possessing, or under the influence of a controlled substance, including marijuana. In all other respects, the judgment is affirmed. Wiseman, J.

We concur: Buckley, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041883 People v. Bunch

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F041883 People v. Bunch

The order directing Bunch to pay \$209.46 in restitution to the City of Oakdale on behalf of Officer Redd is stricken. The judgment is affirmed in all other respects. The clerk of the superior court is directed to correct the abstract of judgment accordingly and to send the corrected abstract to the Department of Corrections.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041232 People v. Hernandez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F041232 People v. Hernandez
The judgment is affirmed.
By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041564 People v. Shell
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F040829 People v. Robles
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F040889 People v. Clawson
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F041771 In re Jonathan D., a Minor
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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- F041771 In re Jonathan D., a Minor**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F041480 Bank One v. Carlson**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F041548 People v. Garcia**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F041548 People v. Garcia**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F043754 Lena R., v. The Superior Court of Tulare Co.; Tulare Co. Health & Human Services Agency**
Pursuant to the terms of this court's order of September 29, 2003, and the failure of any party to request oral argument, the oral argument date of October 23, 2003, is vacated.

This matter is deemed submitted on the date of this order.
- F042923 Michaels et al. v. Van Der Hoek et al.**
Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.